

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RHINO@HARMONY PARK, L.L.C; MARK
HAUSNER; JEFF EMERY; and DONALD
BAER,

Case No. 09-11921

Honorable John Corbett O'Meara

Plaintiffs,

v.

DETROIT ECONOMIC GROWTH
CORPORATION, *et. al.*,

Defendants.

ORDER OF DISMISSAL

Plaintiffs filed a complaint in this matter May 20, 2009. On September 23, 2009, the court ordered Plaintiffs to show cause within 15 days why the action should not be dismissed for failure to prosecute. Plaintiffs have failed to satisfy the show cause order.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, "If a defendant is not served within 120 days after the complaint is filed, the court . . . must dismiss the action without prejudice" In this case, none of the defendants has been served; and the summonses have expired.

ORDER

It is hereby **ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara
United States District Judge

Date: November 23, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 23, 2009, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager